

REMARKS

This Amendment is filed in response to the Official Letter dated September 5, 2007. Claims 1, 2, 8, 10, 12 through 18, 25, 27, 30, 32, 35, 36, 38, 40 and 41 have been amended. Claims 9, 11 and 29 have been cancelled. The application now includes claims 1 through 8, 10, 12 through 28 and 30 through 47, with claims 1, 17, 25, 27, 32, 36 and 41 being independent claims. Favorable reconsideration of the application, as amended, is respectfully requested.

In the Official Letter, the Examiner objected to the amendment filed on February 14, 2007, because the claims are not in consecutive order. Accordingly, the Examiner renumbered claim 48 as claim 47. Applicants have done likewise in the claims presented above.

In the Official Letter, the Examiner also objected to claims 11, 17, 27, 28, 38 and 40 through 47 because of certain informalities. Applicants have cancelled claim 17 and deleted an extraneous term “said” in claims 27. Accordingly, applicants believe that they have addressed the concerns of the Examiner and respectfully request that he withdraw his objections to the claims.

In the Official Letter, the Examiner rejected claims 1 through 47 under 35 U.S.C. §112, second paragraph, as being indefinite. Applicants have amended claim 1 to recite “a first circuit substrate mounted within said housing, said circuit substrate carrying electronic components for controlling the vehicle system”. The recitation of a circuit substrate in amended claim 1 also provides an antecedent for the term “said circuit substrate” in claim 7. Accordingly, applicants believe that they have addressed the concerns of the Examiner regarding the claims being indefinite and respectfully request that he withdraw his objections to the claims.

In the Official Letter, the Examiner also rejected independent claim 1 under 35 U.S.C. §102(b) as being anticipated by WO 98/43470. The Examiner stated that all of the limitations of claim 1 were presented on page 4, lines 7 through 13, of the reference where it is stated that:

The present invention is directed toward a control module which includes a housing adapted to be mounted upon a vehicle having a primary axis. The control module also includes a circuit board disposed within the housing and an acceleration sensor mounted upon the circuit board. The acceleration sensor includes an acceleration measuring element. The acceleration sensor is mounted upon the circuit board with the measuring element lying in a plane which is perpendicular to the vehicle primary axis.

Applicants have amended independent claim 1 to recite a first circuit substrate mounted within a housing and at least one second circuit substrate mounted upon the first circuit substrate and within the housing. The above portion of the cited reference teaches a single circuit board, not two or more as recited in amended claim 1. Accordingly, applicants believe that amended independent claim 1 is not anticipated by the cited reference and respectfully request that the Examiner withdraw his rejection of the claim.

In the Official Letter, the Examiner further rejected independent claim 1 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,264,289 to Franke et al. The Examiner stated that the Franke et al. reference disclosed all of the limitation recited in claim 1. As indicated above, claim 1 has been amended to recite that at least one second circuit substrate is mounted upon a first circuit substrate (Emphasis Added). A careful review of the Franke et al. reference does not disclose a second circuit board mounted upon a first circuit board, as recited in amended claim 1. Indeed, the Examiner stated that the reference disclosed that travel electronics may be integrated into a common housing with other braking control components. Accordingly, applicants believe that amended independent claim 1 is not anticipated by the cited reference and respectfully request that the Examiner withdraw his rejection of the claim.

Regarding claims 2 through 8, 10, 12 through 16, 18 through 24, 30, 31, 35, 37, 38 and 40, the claims are dependent upon amended independent claim 1 and include all of the limitations recited therein. Accordingly, for the reasons given above, applicants also believe that claims 2 through 8, 10, 12 through 16, 18 through 24, 30,

31, 35, 37, 38 and 40 are patentable over the art of record and respectfully request that the Examiner allow the claims.

Applicants also have rewritten claim 17 in independent form to include all of the limitations of base claim 1 and all intervening claims. The Examiner had rejected claim 17 under 35 U.S.C. §103(a) as being unpatentable over the Franke et al. reference in view of U.S. Patent No. 6,532,419 to Flierl et al. and U.S. Patent No. 6,195,261 to Babutzka et al. The Examiner stated that the Franke et al. reference discloses integrating various braking system electronics and motion sensors into a common housing while the Flierl et al. reference addresses the problem of packaging electronics/sensors in a single housing. The Examiner also stated that the Babutzka et al. reference discloses various configurations involving one or more substrates oriented to align motion sensors disposed within a housing with vehicle reference axes.

Rewritten claim 17 recites a second circuit substrate that is mounted upon a generally L-shaped leadframe with the L-shaped leadframe mounted upon and electrically connected to a first circuit substrate. Nothing in the cited references shows or suggests an L-shaped leadframe mounted upon a first circuit substrate and carrying a second circuit substrate. Accordingly, applicants believe that rewritten claim 17 is patentable over the art of record and respectfully request that the claim be allowed.

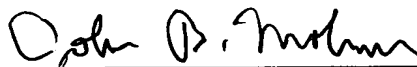
In the Official Letter, the Examiner stated that claims 25 through 28, 32 through 34, 36 and 41 through 47 would be allowable if rewritten to overcome the rejections under 35 U.S.C. §112, second paragraph, and to include all of the limitations of the base claim and any intervening claims. As described above, applicants have amended claims 1 and 7 to address the rejections under 35 U.S.C. §112. Additionally, applicants have rewritten claims 25, 27, 32, 36 and 41 to include the limitations of base claim 1 and any intervening claims. Accordingly, applicants respectfully request that the Examiner allow the claims.

Claims 26 and 39 are dependent upon rewritten claim 25 and include all of the limitations recited therein; claim 28 is dependent upon rewritten claim 27 and includes all of the limitations recited therein; claims 33 and 34 are dependent upon rewritten

claim 32 and include all of the limitations recited therein; and claims 42 through 47 are dependent upon rewritten claim 41 and include all of the limitations recited therein. Accordingly, for the reasons given above, applicants also respectfully request that the Examiner allow claims 26, 28, 33, 34, 39 and 42 through 47.

In view of the amendments and above remarks, it is believed that the application is in condition for allowance.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John B. Molnar", is written over a horizontal line.

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